

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JEROME L. JOHNSON,	§
	§ No. 8, 2009
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for Sussex County
STATE OF DELAWARE,	§ Cr. ID No. 0302015322
	§
Plaintiff Below-	§
Appellee.	§

**ORDER**

This 9<sup>th</sup> day of February 2009, it appears to the Court that, on January 16, 2009, the Clerk of the Court issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to file his notice of appeal within 30 days after entry upon the docket of the Superior Court's December 12, 2008 order, as required by Rule 6. The appellant has failed to respond to the notice to show cause within the required ten-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele  
Chief Justice